



STATE OF MICHIGAN
DEPARTMENT OF EDUCATION
LANSING



JENNIFER M. GRANHOLM
GOVERNOR

THOMAS D. WATKINS, JR.
SUPERINTENDENT OF
PUBLIC INSTRUCTION

DATE: November 1, 2004
TO: State Board of Education
FROM: Tom Watkins
SUBJECT: Update on Educational Legislation



The legislature has been in recess during most of October as members of the House of Representatives have been campaigning for reelection. Due to term limits, 36 of the 110 representatives are unable to run for reelection. A more detailed analysis of the election will be provided immediately after the election returns have been analyzed.

It appears that freshman State Representative Craig DeRoche (R-Novi) will become the next Speaker of the House of Representatives. Representative DeRoche has an interest in education issues and we have met on several occasions. I look forward to working with him as the new Speaker. Other House leadership positions have yet to be finalized.

The following is an update on legislation that is likely to see action in the lame duck session of the Michigan Legislature:

ISD Legislation. This ISD legislative package has passed the House of Representatives and is currently on the Senate floor awaiting final passage. Most of the issues have been worked out, although as of this writing, there are still some technical issues that need to be finalized to address concerns raised by the Departments of Treasury and Education. The key concern is the need for specific direction as to exactly what criteria the Department of Treasury auditors will use to audit items identified in the legislation. Suggested solutions have been proposed to the senate and it is hoped that appropriate amendments will be adopted.

High School ACT Legislation. The so-called ACT legislation has been on the back burner while the Lt. Governor's Commission on Higher Education and Economic Growth (Cherry Commission) has been meeting. Senator Wayne Kuipers (R-Holland), Chair of the Senate Education Committee, has placed this legislation on the committee's agenda for November 4, 2004. Since the Cherry Commission has not made final recommendations regarding assessment issues, it is not clear whether or not the Senate Education Committee will incorporate such recommendations in this legislation. The Department of Education will continue to advise the Education committee of potential issues related to changing from the MEAP to another high school assessment test.

STATE BOARD OF EDUCATION

KATHLEEN N. STRAUS - PRESIDENT • HERBERT S. MOYER - VICE PRESIDENT
CAROLYN L. CURTIN - SECRETARY • JOHN C. AUSTIN - TREASURER
• MARIANNE YARED MCGUIRE - NASBE DELEGATE • ELIZABETH W. BAUER
REGINALD M. TURNER • EILEEN LAPPIN WEISER

608 WEST ALLEGAN STREET • P.O. BOX 30008 • LANSING, MICHIGAN 48909
www.michigan.gov/mde • (517) 373-3324

Printed by members of:



HB 4975 – Transferring Student Disciplinary Records. This bill was introduced by Representative Frank Accavitti (D-Eastpoint). It amends the Revised School Code and will require public and non-public schools to cooperate with one another in sharing disciplinary records when a student transfers from one school to another. The need for this legislation was highlighted in September, 2004 when a Chippewa Valley School student was arrested with intent to commit physical damage to their high school and the students inside. Apparently, the private school the student had previously attended did not forward disciplinary records that might have been helpful to the new school district. This legislation is scheduled to be heard in the House Health Policy Committee on November 9, 2004. If the bill is reported out, it has a fifty-fifty chance of passing the full House and the Senate before the end of the lame duck session.

HB 5660 – School Site Plan Review Legislation. Last May, the House of Representatives passed a bill introduced by Representative Phil LaJoy (R-Canton) that essentially requires local zoning commissions to approve all public school expansions or new construction projects (public school academies were specifically exempted from the bill). The bill is currently in the Senate Natural Resources and Environmental Committee. There will be an effort to address the public school academy issue with the hopes of passing the legislation before the end of the year.

SB 1443 – Amendments Changing the Current Restraint and Seclusion of Students. This legislation was introduced by Senator Tom George (R-Kalamazoo) on September 30, 2004 and will amend the Revised School Code. It creates new definitions of chemical restraint, mechanical restraint, personal restraint, and seclusion. This bill also sets requirements regarding school policy and the use of personal restraint by school employees or volunteers. In October 2004 a meeting took place between Senator George's staff, the Department of Education, and other interested parties. Attendees at this meeting were informed by Department staff of the Department's ongoing meetings of the Supporting Student Behavior: Seclusion/Restraint Referent Group. After learning of these activities, Senator George decided to defer his legislation until next session and is looking forward to reviewing the recommendations of the above-mentioned group and the State Board of Education.

If you have any questions or concerns regarding these or other legislative activities, please do not hesitate to contact me or Bob Morris. Bob can be reached at 517-241-4993 or by email at morrisrk@michigan.gov.